IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2128 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE D.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SOMA PUNJA MAHIDA

Versus

SECRETARY HOME DEPTT AND OTHERS

Appearance:

MR DM VASAVADA for Petitioner

MR KT DAVE,A.G.P., for Respondent No. 1, 2

CORAM : MR.JUSTICE D.A.MEHTA

Date of decision: 27/04/2001

ORAL JUDGEMENT

The petitioner who was serving as an Unarmed Head Constable at Veraval in the City Police Station Veraval was suspended from services vide order dated 23/1/1986 in view of the fact that a criminal case was registered against him vide Crime Register No.I 94/85 dated

07/12/1985.

2. At the time of admission of the matter interim relief in the following term was granted.

> "12(BB) Pending hearing and final disposal of this petition, the respondents and for their servants, agents or nominees may be restrained from implementing an order of suspension, Ann. 'A' dt.23-1-1986."

The matter was taken up for hearing, there is no appearance on behalf of the petitioner. However, we have gone through the matter and found that at this length of time possibly the petitioner would have no grievance surviving. Moreover, the petitioner has continued in service by virtue of the order of interim relief and the criminal proceedings also would have terminated by this point of time.

In view of these circumstances, this petition is dismissed. Liberty to revive in case of difficulty. Rule discharged with no order as to costs.

(D.A. Mehta, J)

'Bhavesh'